



DEPARTMENT OF THE NAVY  
OFFICE OF THE ASSISTANT SECRETARY  
RESEARCH, DEVELOPMENT AND ACQUISITION  
1000 NAVY PENTAGON  
WASHINGTON DC 20350-1000

MAR 27 2002

MEMORANDUM FOR DISTRIBUTION

Subj: JUSTIFICATION AND APPROVALS FOR OTHER THAN FULL AND OPEN  
COMPETITION

Ref: (a) FAR 6.303-2  
(b) DFARS 206.303-2  
(c) NAPS 5206.303-2

Encl: (1) J&A Areas of Concern and Additional Information  
Requirements  
(2) ABM Program Analysts

At the most recent Navy Contracting Council meeting, the subject of Justification and Approvals (J&As) submitted to ABM for approval by ASN(RDA) was briefly discussed. As noted at that time, ABM is aware that the OASN(RDA) processing time for J&As has increased in recent months. To reverse this trend, we solicit your assistance.

To obtain ASN(RDA) approval, ABM must forward to Mr. Young a package that includes (1) a J&A that addresses all required information; (2) supporting program planning documentation; and (3) additional information concerning the planned procurement that either Mr. Young has indicated he needs included with every J&A package or that answers questions Mr. Young is likely to have. J&A content requirements are set forth in references (a), (b), and (c). Required supporting documentation, which must be current and consistent with information in the J&A, is also specified in reference (c).

Frequently, ABM receives J&As packages that are not complete. For example, J&As often do not contain required information, such as delivery requirements or funding identification. In a number of cases, the J&A package lacks supporting documentation or contains supporting documentation that is inconsistent with the information included in the J&A. Additionally, Mr. Young has now requested a description of the pricing and incentive arrangements planned for the contracts covered by J&As approved at the RDA level. In all of these situations, effort to obtain additional required information increases the time required to process J&As.

To decrease the frequency of ABM requests for revisions and additional information and compress the processing of J&As, please ensure your contracting officers/contract specialists include the additional pricing and incentive information that ASN(RDA) requires in the memorandum they use to forward J&As to ABM. Additionally, please ensure that all J&A packages are checked for completeness. Enclosure (1) identifies some of the key areas where we have seen problems in J&As. It also lists the additional information and documentation that should be provided with J&As submitted for ASN(RDA) approval.

If any of your employees would like to have an advance copy of a J&A reviewed, which we encourage, or to ask questions specific to a J&A being processed by ABM, enclosure (2) provides a list of our Program Support Division analysts and the commands they generally support.

VR

*Bob Cowley*

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## J&A AREAS OF CONCERN AND ADDITIONAL INFORMATION REQUIREMENTS

### **I. Content of J&As\***

- A clear description of the supplies or services required to meet the agency's needs (i.e., clear and thorough description of what the activity intends to acquire under the resulting contractual action(s)).
- Any other facts supporting the use of other than full and open competition, such as:
  - Explanations of why technical data packages, specifications, engineering descriptions, statements of work, or purchase descriptions suitable for full and open competition have not been developed or are not available.
  - For follow-on acquisitions, an estimate of the cost to the Government that would be duplicated and how the estimate was derived.
- If unusual and compelling urgency is cited, data, estimated cost, or other rationale as to the extent and nature of the harm to the Government.
- A listing of sources that expressed in writing an interest in the acquisition and the bases for determining they are not viable competitors.
- A statement of delivery requirements.
- The total estimated dollar value for the acquisition by fiscal year and appropriation.

### **II. Additional Submission Requirements**

- Copy of the most recent J&A, if approved locally, or the control number of the most recent J&A, if approved by the Navy Senior Procurement Executive.

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\* J&As prepared for ASN(RDA) approval should generally assume the reader knows little, if anything, about the program. Thus, program-unique acronyms should be avoided and the rationale for any conclusions presented should be fully developed.

- A forwarding memorandum that identifies and explains:
  - Any discrepancies between information in the most recent prior J&A and the current J&A; particularly, with respect to plans for follow-on competition.
  - Any discrepancies between information in the planning document and the J&A, such as differences in unit quantities, differences in estimated costs, differences in planned contract type, etc.
  - The anticipated contract type (if not included in the J&A).
  - Any planned incentive arrangements for improving contractor performance, including any sharelines, ceilings, performance incentives, award fees, escalation provisions, anticipated profit/fee ranges, or other pricing arrangements.